

**LEGISLATIVE SERVICES AGENCY
OFFICE OF FISCAL AND MANAGEMENT ANALYSIS**

200 W. Washington, Suite 301
Indianapolis, IN 46204
(317) 233-0696
<http://www.in.gov/legislative>

FISCAL IMPACT STATEMENT

LS 6759

BILL NUMBER: HB 1159

NOTE PREPARED: Apr 5, 2005

BILL AMENDED: Apr 4, 2005

SUBJECT: Missing Endangered Seniors.

FIRST AUTHOR: Rep. Ruppel

FIRST SPONSOR: Sen. Zakas

BILL STATUS: As Passed Senate

FUNDS AFFECTED: X GENERAL
X DEDICATED
FEDERAL

IMPACT: State

Summary of Legislation: This bill provides that a law enforcement agency that receives a credible notification concerning a missing endangered adult may prepare and forward a report concerning the missing endangered adult to: (1) other law enforcement agencies; (2) the National Crime Information Center; (3) the data and communication system; and (4) broadcasters in the area where the missing endangered adult may be located. The bill provides that a law enforcement agency may forward the report to a newspaper. It provides civil immunity to a broadcaster or newspaper that broadcasts or publishes a senior medical alert. It also makes filing a false report concerning a missing endangered adult a Class B misdemeanor.

Effective Date: July 1, 2005.

Explanation of State Expenditures: This bill requires a law enforcement agency to prepare and forward a report concerning a missing endangered adult.

Additional Administrative Duties: A law enforcement agency may forward their report to one or more broadcasters that broadcast in the area where the missing endangered senior may be located if it has reason to believe that public notification may assist in locating the adult. The agency may also forward the contents of their report to one or more newspapers located in an area where the missing endangered adult may be located.

The bill allows a law enforcement agency to request that the broadcaster or newspaper notify the public that there is a missing endangered adult medical alert, and broadcast or publish (a) a description of the missing person and (b) any other relevant information that would assist in locating the missing endangered adult, after forwarding a report to them.

The Indiana State Police (ISP) reports that these duties are currently being completed by the majority of law enforcement agencies. Any increase in administrative duties is likely minimal.

Explanation of State Revenues: *Penalty Provision:* The bill provides for a Class B misdemeanor for false reporting. If additional court cases occur and fines are collected, revenue to both the Common School Fund (from fines) and the state General Fund (from court fees) would increase. The maximum fine for a Class B misdemeanor is \$1,000. However, any additional revenue would likely be small.

Explanation of Local Expenditures: *Penalty Provision:* A Class B misdemeanor is punishable by up to 180 days in jail.

Explanation of Local Revenues: *Penalty Provision:* If additional court actions occur and a guilty verdict is entered, local governments would receive revenue from court fees. However, any change in revenue would likely be small.

State Agencies Affected: Indiana State Police.

Local Agencies Affected: Trial courts, local law enforcement agencies.

Information Sources: Steve Hillman, Indiana State Police, 232-5899.

Fiscal Analyst: Sarah Brooks, 317-232-9559.